

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

LI ZHANG,

Plaintiff,

v.

UNIVERSITY OF TEXAS AT DALLAS,

Defendant.

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Civil Action No. **3:24-CV-1477-L**

ORDER

Before the court is Plaintiff's Unopposed Motion for Leave to File Supplement to First Amended Complaint ("Motion") (Doc. 18), filed December 10, 2024. For the reasons that follow, the court **denies** Plaintiff's Motion (Doc. 18), but it will allow her to amend her pleadings.

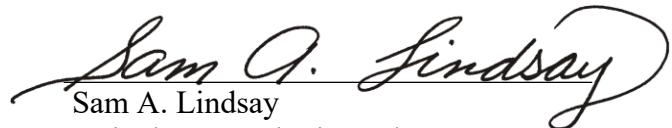
Plaintiff seeks to supplement her First Amended Complaint pursuant to Federal Rule of Civil Procedure 15(d) for purposes of only addressing the EEOC's Dismissal and Notice of Right to Sue letter, which issued on September 13, 2024, after Plaintiff filed her First Amended Complaint. Plaintiff asserts that the proposed supplement will not moot Defendant's pending Motion to Dismiss, which was filed on October 22, 2024, but Defendant may wish to address the supplement in a later filing.

Although supplementation of pleadings is permitted under Rule 15(d), the court as a general rule does not permit supplemental filings of any kind because they usually cause unnecessary confusion and piecemeal litigation. Despite Plaintiff's three-month delay in filing her Motion after Defendant's Motion to Dismiss was fully briefed by the parties, the court determines that the best path forward is to allow her to amend her pleadings and deny as moot the pending Motion to Dismiss so that Defendant can file a *single* motion to dismiss addressing any and all matters in Plaintiff's amended pleading. Further, the court determines that Defendant will not

suffer any undue or legal prejudice as a result of proceeding in this manner because it will be able to incorporate the arguments in its current motion in any new motion if it chooses to do so, and this case is still in its early stages, as it was filed in June 2024.

Accordingly, the court **denies** Plaintiff's Unopposed Motion for Leave to File Supplement to First Amended Complaint (Doc. 18), but **grants her leave** to file an amended complaint by **January 3, 2024**. *Any and all claims and factual allegations supporting such claims that Plaintiff wishes to allege and pursue in this case must be included in the amended complaint, as the court out of fairness to Defendant will not permit her to amend (or supplement) her pleadings again before it rules on any subsequent motion to dismiss filed by Defendant. Failure to file an amended complaint by this deadline may result in the dismissal without prejudice of this action.* In light of the court's decision to allow Plaintiff to amend her pleadings, it also **denies as moot** Defendant's Motion to Dismiss.

It is so ordered this 12th day of December, 2024.


Sam A. Lindsay
United States District Judge